

Before the  
**Federal Communications Commission**  
Washington DC 20554

In the Matter of	)	
	)	
Revision of the Commission's	)	
Rules to Ensure Compatibility	)	CC Docket No. 94-102
with Enhanced 911 Emergency	)	
Calling Systems	)	
	)	
Petition of Corr Wireless Communications, L.L.C.	)	
For Waiver of the Requirements of	)	
Section 21.28 of the commission's Rules	)	
Regarding the Provision of E-911 Service	)	

To: The Commission

**CORR WIRELESS'S CONSOLIDATED REPLY COMMENTS  
REGARDING ITS REQUEST FOR WAIVER**

Corr Wireless Communications, LLC (“Corr”), by its attorneys, hereby replies to the Comments submitted by the public with respect to its request for a limited waiver of the provisions of section 20.18 of the Commission’s rules. Corr requested a waiver of the rules based on its status as a small rural CMRS carrier so as to permit graduated introduction of Phase II E-911 service. Under Corr’s plan, the service would be supplied most immediately to the areas where it is needed the most, with gradual expansion of coverage to the areas where it is needed less urgently. The graduated phase-in would make the enormous cost of providing the service relative to Corr’s size more bearable than the requirement found in the rules. For the most part, the public expressed gratifying support for Corr’s waiver request, strongly corroborating the need and justification for waiver of the rule. A few responsive points do, however, need to be made.

First, several representatives of the deaf community<sup>1</sup> express opposition to Corr's waiver request on the grounds that the proposed implementation schedule would delay the provision of E-911 Phase II service to the hearing impaired. In this respect, the hearing-impaired community is no different from the population at large. Corr fully expects to make its E-911 Phase I service available via TTY on the schedule contemplated by the FCC in its Fourth Report and Order. Corr has been submitting quarterly reports in conjunction with the TTY Forum on the status of industry developments toward that goal, and our understanding is that progress is being made. Thus, the instant waiver request will have no effect whatsoever on the availability of Phase I service. The deaf community will have access to the same emergency services as the population at large on the current schedule.

On the other hand, the instant waiver request would implement Phase II service on a graduated schedule slightly more elongated than the Commission's schedule while targeting the areas with the greatest emergency demands first. This implementation schedule has no disproportionate effect on the deaf. To the extent that there is a delay in full implementation of Phase II, the delay applies equally to all members of the public. As demonstrated in the waiver request, this is a necessary by-product of the rural conditions that both reduce available revenues and increase the costs of providing this service. Corr's waiver proposal is designed to get Phase II service out there as quickly and as effectively as is feasibly possible within the real constraints under which rural carriers must operate. Neither the deaf community nor the larger community would be served by an unreflective application of a difficult rule without regard to the circumstances of those who must deal with it. In adopting the rule, the

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<sup>1</sup> Telecommunications for the Deaf, Inc., The Council of Organizational Representatives on National Issues Concerning People Who Are Deaf or Hard of Hearing, and Self Help for Hard of Hearing People.

Commission itself recognized that rural carriers might have more difficult obstacles to overcome in providing this service, and the waiver mechanism was specifically made available for appropriate relief. *Fifth Report and Order*, 15 FCC Rcd 22810 (2000) at Paragraph 21. It is that relief which Corr now seeks.

Second, a number of other recent waiver petitioners, along with commenter Public Service Cellular here, have suggested that the current network solutions which are commercially available do not meet the accuracy and reliability standards established by the rules. Corr's proposed equipment supplier, Grayson Wireless, has represented in its equipment proposal to Corr that its system "meets the accuracy and other E911 Phase II requirements set by the FCC." However, in light of the recent doubt cast on such systems by commenters, Corr has been attempting without success to confirm with Grayson that its system does in fact meet the accuracy criteria specified by the Commission. Obviously, if it develops that Corr cannot obtain compliant commercially available equipment for Phase II, it will be unable to provide the service at the accuracy levels required by the Commission even on the schedule proposed in its waiver request. Corr will continue to follow up on this issue and will modify its waiver request if it appears that the unavailability of compliant equipment will prevent full compliance.

This latter point underscores one of the difficulties facing the industry in complying with the Commission's mandate. In many respects, compliance is not within the control of the carrier who is nevertheless responsible for providing the service. The unavailability of a handset solution for TDMA carriers was beyond our control; the development of compliant network solutions is in the hands of system vendors; the interface with LECs is in the hands of the local carriers. All of these problems are exacerbated in the case of small carriers because

they do not have the clout of an AT&T or a Verizon to demand that manufacturers develop products. Corr is in the unfortunate position of facing a legal mandate with no way to compel other companies to provide the material it needs to comply. To that extent it is very much at the mercy of the market and this agency.

Corr also notes that the two foremost proponents of E-911 Phase II, NENA and APSCO, have not opposed Corr's request.

For these reasons and the reasons set forth in its original waiver request, Corr respectfully requests that its waiver be granted.

Respectfully submitted,

CORR WIRELESS COMMUNICATIONS, LLC

By \_\_\_\_\_  
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August 6, 2001

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### **CERTIFICATE OF SERVICE**

I, Deborah N. Lunt, a secretary with the law firm of Fletcher, Heald & Hildreth, P.L.C., hereby certify that I have this 6<sup>th</sup> day of August, 2001, forwarded copies of the foregoing CORR WIRELESS'S CONSOLIDATED REPLY COMMENTS REGARDING ITS REQUEST FOR WAIVER by first class mail, postage prepaid, to the following:

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